

EX PARTE OR LATE FILED

ORIGINAL
FILE

UNITED STATES GOVERNMENT
M E M O R A N D U M

TO: Donna R. Searcy
Secretary

FROM: John C. Hollar *JH*
Office of Commissioner Duggan

DATE: February 15, 1993

SUBJECT: Ex parte Communications in MM Docket No. 92-265

RECEIVED

FEB 17 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Attached are 23 letters from a variety of rural electric cooperatives to Commissioner Duggan regarding the above-referenced docket. I am forwarding them to you for inclusion in that docket.



**Butler Rural Electric
Cooperative Assn., Inc.**

EX PARTE OR LATE FILED

216-218 S. Vine
P. O. Box 1242
El Dorado, KS 67042
(316) 321-9600

RECEIVED

[FEB 17 1993]

February 2, 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

**The Honorable Irvin S. Duggan
Federal Communications Commission
1919 M St. N.W.
Washington, DC 20554**

Re: MM Docket No. 92-265, Program Access

Dear Mr. Duggan:

I am writing you to express my concern about the Notice of Proposed Rule Making that was released on December 24, specifically as it pertains to the Section 19 programming access provisions of the recently-passed cable bill.

I am the General Manager of Butler Rural Electric Cooperative, a consumer-owned, not-for-profit rural utility that provides electric service to 4,698 consumers in rural area of South-Central Kansas directly east of Wichita. In our part of Kansas, there are many consumers for who cable service is unavailable due to their remoteness. The only way these consumers can receive television is by using a home satellite dish. Until now, these home satellite dish owners have been paying discriminatorily high rates for much of the programming they receive over their dish. The cost for this programming to some satellite dish distributors is on average five times more than what cable operators pay for it- a difference in price that is completely unjustifiable.

My utility, along with hundreds of utilities like it around the country, worked long and hard to secure the inclusion of the cable bill's Section 19 programming access provisions in order to protect our consumers from the cable industry's price-gouging. When the bill passed, we were understandably pleased and hopeful that the discrimination would stop.

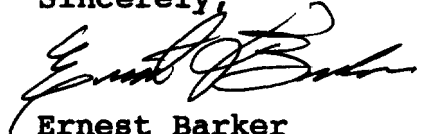
This is why we are concerned by the tone of your NPRM on the subject. By writing this letter, I hope to impress upon you the reality of this price discrimination. For your consumers, it really is a dollars-and-cents issue. And it is completely unnecessary; it costs cable-owned programmers and satellite carriers no more to serve the rural home dish market than the urban cable market. In your NPRM, you indicated that harm against the dish market would have to be established before the FCC could issue regulations to correct it. I assure you that this harm not only

The Honorable Irvin S. Duggan
Page -2-

exists, but it is also an ongoing problem which robs hundred of dollars per year from each of my satellite TV-watching neighbors and consumers.

I urge you to once again review the duty the U.S. Congress charged you with; namely , to issue regulations which will encourage competition in the video marketplace and bring an end to the unjustifiable discrimination against the non-cable video market place by cable-owned programmers. On behalf of the thousands of home satellite dish owners living in rural Kansas, I hope your final rule fulfills this obligation.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ernest Barker", written in a cursive style.

Ernest Barker
General Manager

EB:gs

Northeast

RURAL SERVICES, INC.

Subsidiary of Northeast Oklahoma Electric Cooperative, Inc.

February 9, 1993

The Honorable Irvin S. Duggan, Commissioner
Federal Communications Commission
1919 M St. N.W.
Washington, DC 20554

Re: MM Docket No. 92-265. Program Access

Dear Mr. Duggan:

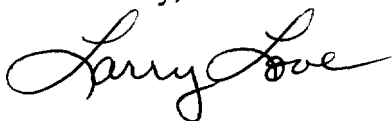
I am writing to express my concern about Section 19 of the Federal Communications Commission's Notice of Proposed Rule Making (NPRM), pertaining to the programming access provisions of the recently passed cable bill.

I represent Northeast Rural Services, Inc., a subsidiary of Northeast Oklahoma Electric Cooperative, Inc. Northeast Rural Services provides Satellite TV programming to over 3,100 customers in Oklahoma, Kansas, Arkansas and Arizona that do not have access to Cable TV. The only way these consumers can receive television programming is by using a home satellite dish, and **they have been forced to pay much higher rates** to receive the same programming as Cable TV consumers due to discriminatory pricing.

Northeast Rural Services worked very hard to get the original access provisions of Section 19 included in the cable bill. After the passage of the bill, we felt that it would put an end to the discriminatory pricing of programming. However, the way your NPRM is stated, it appears that you are trying to change the cable bill from what it was originally intended to do. It is absolutely unfair that someone using a home satellite dish should be forced to pay more for programming when there is no additional cost in delivering the programming to either the home satellite dish or the cable market.

My request is that you review the cable bill and issue regulations to implement the bill as it was intended by Congress. You have the opportunity and the obligation to encourage competition, end price discrimination and provide equal access to programming to the non-cabled video marketplace.

Sincerely,

A handwritten signature in cursive script that reads "Larry Love". The signature is fluid and stylized, with the first and last names being clearly legible.

Larry Love
Assistant Manager

cc: Office of the Secretary, FCC

Jewell-Mitchell

TELEPHONE 913-378-3151
FAX 913-378-3219

EX PARTE OR LATE FILED

Cooperative Electric Co. Inc.

P.O. BOX 307

MANKATO, KANSAS 66956

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FEB 17 1993

February 8, 1993 FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

The Honorable Irvin S. Duggan, Commissioner
Federal Communications Commission
1919 M St. N.W.
Washington, DC 20554

Dear Mr. Duggan:

I am writing to express my concern about the FCC's proposed rules regarding the recently passed cable bill. It appears the rules will not in fact enforce the provisions of the cable bill as passed by Congress. As an employee of an electric cooperative I know how much difference there is in prices for people here in rural America, compared to what the cable companies pay for the same programming. If the FCC rules as proposed are passed, it will in no way lower the cost of TV programming to our customers.

In your Notice of Proposed Rule Making that was released on December 24, you indicated the harm against the dish market would have to be established before the FCC could issue regulations to correct it. I assure you the people in this rural area are paying much more for their TV programming than the people who have cable TV.

I do hope you will once again review the duty the U.S. Congress charged you with, and put an end to discrimination against the non-cable video marketplace by cable-owned programmers. You will be doing myself and all the people of Kansas a big favor.

Thank you.

Sincerely yours,

John Flavin

John Flavin
122 W Main
Mankato, Ks 66956

***Buffalo* Electric COOPERATIVE**

EX PARTE OR LATE FILED

1225 S. Main - P.O. Box 248 - Alma, WI 54610-0248
(608) 685-4440

January 29, 1993

The Honorable Irvin S Duggan, Commissioner
Federal Communications Commission
1919 M St. NW
Washington DC 20554

RE: MM Docket No. 92-265, Program Access

Dear Mr. Duggan:

This letter is to express my concern about the Notice of Proposed Rule-Making that was released on December 24, 1992, specifically as it pertains to the Section 19 programming access provision of the recently passed cable bill.

I am the general manager of Buffalo Electric Cooperative. A rural electric cooperative in western Wisconsin serving 3,500 rural electric members. The area we serve is very rough terrain and for our members to receive satisfaction TV programming it requires the use of a home satellite dish. The cost of programming to a satellite dish is usually many times more than what cable operators pay. Is this fair?

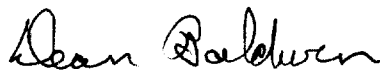
Buffalo Electric Cooperative along with many other cooperatives work long and hard to secure the inclusion of cable bill Section 19 programming access provisions to protect our members from the price-gouging. When the bill was passed we thought that would put an end to discrimination.

This is why we are concerned by the tone of your NPRM on the subject. By writing this letter, I hope to impress upon you the reality of this price discrimination. For our consumers, it really is a dollars-and-cents issue. And it is completely unnecessary; it costs cable-owned programmers and satellite carriers no more to serve the rural home dish market than the urban cable market. In your NPRM, you indicated that harm against the dish market would have to be established before the FCC could issue regulations to correct it. I assure you that this harm not only exists, but that it is an ongoing problem which robs hundreds of dollars per year from each of my satellite TV watching neighbors and consumers.

I urge you to once again review the duty the U.S. Congress charged you with: namely, to issue regulations which will encourage competition in the video marketplace and bring an end to the unjustifiable discrimination against the non-cable video marketplace by cable-owned programmers. On behalf of the thousands of home satellite dish owners living in rural Wisconsin, I hope your final rule fulfills this obligation.

Sincerely,

BUFFALO ELECTRIC COOPERATIVE


Dean Baldwin, Manager

TDB:mjl

CC: Office of the Secretary, FCC

National Rural
Telecommunications
Cooperative



NRTC
Member

CONSUMER SERVICES INC.

100 Utopia Drive
P. O. Box 820
Newport, NC 28570

(919) 247-0628
1-800-543-9304

EX PARTE OR LATE FILED

January 29, 1993

The Honorable Irvin S. Duggan, Commissioner
Federal Communications Commission
1919 M St. N.W.
Washington, DC 20554

RECEIVED

FEB 17 1993

Re: MM Docket No. 92-265, Program Access

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Mr. Duggan:

I am writing you to express my concern about the Notice of Proposed Rule Making that was released on December 24, specifically as it pertains to the section 19 programming access provisions of the recently-passed cable bill.

I am the Manager of Consumer Services, Inc., a consumer-owned, not-for-profit rural utility that provides satellite service to 200 consumers in eastern North Carolina. In our part of North Carolina, there are many consumers for whom cable service is unavailable due to their remoteness. The only way these consumers can receive television is by using a home satellite dish. Until now, these home satellite dish owners have been paying discriminatorily high rates for much of the programming they receive over their dish. The cost of this programming to home satellite dish distributors is on average five times more than what cable operators pay for it. Any difference in price is completely unjustifiable.

My utility, along with hundreds of utilities like it around the country, worked long and hard to secure the inclusion of the cable bill's Section 19 programming access provisions in order to protect our consumers from the cable industry's price-gouging. When the bill passed, we were understandably pleased and hopeful that the discrimination would stop.

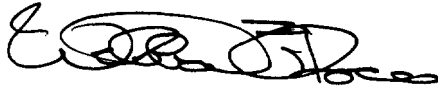
This is why we are concerned by the tone of your NPRM on the subject. By writing this letter, I hope to impress upon you the reality of this price discrimination. For our consumers, it really is a dollars-and-cents issue. And it is completely unnecessary; it costs cable-owned programmers and satellite carriers no more to serve the rural home dish market than the urban cable market. In your NPRM, you indicated that harm against the dish market would have to be established before the FCC could issue regulations to correct it. I assure you that harm not only exists, but that it is also an

"The Sky Is Open With Rural TV"

ongoing problem which robs hundreds of dollars per year from each of my satellite TV-watching neighbors and consumers.

I urge you to once again review the duty the U. S. Congress charged you with: namely, to issue regulations which will encourage competition in the video marketplace and bring an end to the unjustifiable discrimination against the non-cable video marketplace by cable-owned programmers. On behalf of the thousands of home satellite dish owners living in rural North Carolina, I hope your final rule fulfills this obligation.

Sincerely,

A handwritten signature in black ink, appearing to read "William L. Race", with a stylized flourish at the end.

William L. Race
Manager

pc: Office of the Secretary, FCC



RECEIVED

January 29, 1993
FEB 17 1993

The Honorable Irvin S. Duggan
Federal Communications Commission
1919 M. St. N.W.
Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

RE: MM Docket No. 92-265, Program Access

Dear Mr. Duggan:

I am writing you to express my concern about the Notice of Proposed Rule Making that was released on December 24th, specifically as it pertains to the Section 19 programming access provisions of the recently-passed cable bill.

I am the General Manager of Citizens Telephone Cooperative, a consumer-owned, not-for-profit rural utility that provides telephone service to 5200 consumers and operates a wholly owned subsidiary called Citizens Communications Corporation that provides satellite service in Floyd, Virginia and surrounding counties. In our part of Virginia, there are many consumers for whom cable service is unavailable due to their remoteness. The only way these consumers can receive television is by using a home satellite dish. Until now, these home satellite dish owners have been paying discriminatorily high rates for much of the programming they receive over their dish. The cost for this programming to home satellite dish distributors is on average five times more than what cable operators pay for it - a difference in price that is completely unjustifiable.


Our utility, along with hundreds of utilities like it around the country, worked long and hard to secure the inclusion of the cable bill's Section 19 programming access provisions in order to protect our consumers from the cable industry's price-gouging. When the bill passed, we were understandably pleased and hopeful that the discrimination would stop.

This is why we are concerned by the tone of your NPRM on the subject. By writing this letter, I hope to impress upon you the reality of this price discrimination. For our consumers, it really is a dollars-and-cents issue and it is completely unnecessary. It costs cable-owned programmers and satellite carriers no more to serve the rural home dish market than the urban cable market. In your NPRM, you indicated that harm against the dish market would have to be established before the FCC could issue regulations to correct it. I

assure you that this harm not only exists, but that it is also an ongoing problem which robs hundreds of dollars per year from each of our satellite TV-watching neighbors and consumers.

I urge you to once again review the duty the U. S. Congress charged you with; namely, to issue regulations which will encourage competition in the video marketplace and bring an end to the unjustifiable discrimination against the non-cable video marketplace by cable-owned programmers. On behalf of the thousands of home satellite dish owners living in rural Virginia, I hope your final rule fulfills this obligation.

Yours very truly,



J. R. Newell
General Manager

cc: Office of the Secretary, FCC

dh

EX PARTE OR LATE FILED

**Comanche County
Telephone Co., Inc.**

RECEIVED

FEB 17 1993

POST OFFICE BOX 290

DE LEON, TEXAS 76444

PHONE: AREA CODE 817-892-3000
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

February 1, 1993

The Honorable Irvin S. Duggan
Federal Communications Commission
1919 M Street N.W.
Washington, DC 20554

RE: MM Docket No. 92-265, Program Access

Dear Mr. Duggan:

I am writing you to express my concern about the Notice of Proposed Rule Making that was released on December 24, specifically as it pertains to the Section 19 programming access provisions of the recently-passed cable bill.

I am the General Manager of Comanche County Telephone Co., Inc., a consumer-owned, rural utility that provides telephone service to 5030 consumers in central Texas. In our part of Texas there are many consumers for whom cable service is unavailable due to their remoteness. The only way these consumers can receive television is by using a home satellite dish. Until now, these home satellite dish owners have been paying discriminatorily high rates for much of the programming they receive over their dish. The cost for this programming to home satellite dish distributors is on average five times more than what cable operators pay for it--a difference in price that is completely unjustifiable.

My utility, along with hundreds of utilities like it around the country, worked long and hard to secure the inclusion of the cable bill's Section 19 programming access provisions in order to protect our consumers from the cable industry's price-gouging. When the bill passed, we were understandably pleased and hopeful that the discrimination would stop.

This is why we are concerned by the tone of your NPRM on the subject. By writing this letter, I hope to impress upon you the reality of this price discrimination. For our consumers, it really is a dollars-and-cents issue. And it is completely unnecessary, it costs cable-owned programmers and satellite carriers no more to

02/01/93

FCC

Page 2

serve the rural home dish market than the urban cable market. In your NPRM, you indicated that harm against the dish market would have to be established before the FCC could issue regulations to correct it. I assure you that this harm not only exists, but that it is also an ongoing problem which robs hundreds of dollars per year from each of my satellite TV-watching neighbors and consumers.

I urge you to once again review the duty the U. S. Congress charged you with: namely, to issue regulations which will encourage competition in the video marketplace and bring an end to the unjustifiable discrimination against the non-cable video marketplace by cable-owned programmers. On behalf of the thousands of home satellite dish owners living in rural Texas, I hope your final rule fulfills this obligation.

Very truly yours,

A handwritten signature in black ink, appearing to read "Toney Prather", with a large, stylized initial "T" and a long, sweeping underline.

TONY PRATHER
Executive Vice-President
& General Manager

TP/db

CC: Office of the Secretary
Federal Communications Commission
1919 M Street N.W.
Washington, DC 20554

EX PARTE OR LATE FILED

**West Central
Electric Cooperative
Inc.**

P.O. BOX 452
HIGGINSVILLE, MISSOURI 64037
816-584-2131

RECEIVED

FEB 17 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

February 1, 1993

The Honorable Irvin S. Duggan
Federal Communications Commission
1919 M St. NW
Washington, D.C. 20554

Re: MM Docket No. 92-265, Program access

Dear Ms. Marshall:

The Notice of Proposed Rule Making that was released on December 24, as it pertains to the Section 19 programming access provisions of the recently-passed cable bill concerns me and consumers in my area.

In our part of mid-Missouri, most consumers are unable to receive cable service because they live in the country. The only way these people can receive clear television signals is by using a home satellite dish. These home satellite dish owners have been paying discriminatorily high rates for much of the programming they receive over their dish. The cost for this programming is, on average, five times higher than what cable operators pay for it.

When the cable bill passed, we were hopeful that the discrimination would stop. We thought that Section 19 of the bill provided programming access provisions that would stop the cable industry's price-gouging.

In your NPRM on the subject, you indicated that harm against the dish market would have to be established before the FCC could issue regulations. Believe me, the harm you are looking for exists. Satellite viewers in my area are robbed of hundreds of dollars per year.

Please review the duty the U.S. Congress charged you with. Issue regulations which will encourage competition in the video market place and end the unjustifiable discrimination against the non-cable video marketplace by cable-owned programmers.

Sincerely,

Darrel Rinne

Darrel Rinne, General Manager

Eastern Illini Electric Cooperative

330 West Ottawa Street • P.O. Box 96 • Paxton, Illinois 60957 • 217/379-2131 • FAX: 217/379-2936

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FEB 17 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

February 1, 1993

The Honorable Irvin S. Duggan, Commissioner
Federal Communications Commission
1919 M St. N.W.
Washington, DC 20554

Re: MM Docket No. 92-265, Program Access

Dear Mr. Duggan:

I am writing you to express my concern about the Notice of Proposed Rule Making that was released on December 24, specifically as it pertains to the Section 19 programming access provisions of the recently passed cable bill.

I am the Executive Vice President and General Manager of Eastern Illini Electric Cooperative, a consumer-owned, not-for-profit rural utility that provides electric service to 12,500 consumers in Champaign, Douglas, Edgar, Ford, Iroquois, Livingston, McLean, Moultrie, Piatt and Vermilion Counties. In our part of Illinois, there are many consumers for whom cable service is unavailable due to their remoteness. The only way these consumers can receive cable quality television is by using a home satellite dish. Until now, these home satellite dish owners have been paying discriminatorily high rates for much of the programming they receive over their dish. The cost for this programming to home satellite dish distributors averages five times more than what cable operators pay for it -- a difference in price that is completely unjustifiable.

Our cooperative, along with hundreds of utilities like it around the country, worked long and hard to secure the inclusion of the cable bill's Section 19 programming access provisions in order to protect our consumers from the cable industry's price gouging. When the bill passed, we were understandably pleased and hopeful that the discrimination would stop.

This is why we are concerned by the tone of your NPRM on the subject. By writing this letter, I hope to impress upon you the reality of this price discrimination. For our consumers, it really is a dollar-and-cents issue, and it is


Page 2
February 1, 1993

completely unnecessary. It costs cable-owned programmers and satellite carriers no more to serve the rural home dish market than the urban cable market. In your NPRM, you indicated that harm against the dish market would have to be established before the FCC could issue regulations to correct it. I assure you that this harm not only exists, but that it is also an ongoing problem which robs hundreds of dollars per year from each of my satellite TV-watching neighbors and consumers.

I urge you to once again review the duty the U.S. Congress charged you with; namely, to issue regulations which will encourage competition in the video marketplace and bring an end to the unjustifiable discrimination against the noncable video marketplace by cable-owned programmers. On behalf of the thousands of home satellite dish owners living in rural Illinois, I hope your final rule fulfills this obligation.

Respectfully,

EASTERN ILLINI ELECTRIC COOPERATIVE


Wm. David Champion, Jr.
Executive Vice President
and General Manager

WDC:jk

**POUDRE VALLEY RURAL
ELECTRIC ASSOCIATION, INC.**

4809 SOUTH COLLEGE AVE • P.O. BOX 1727
FORT COLLINS, COLORADO 80522-1727



FORT COLLINS • 226-1234
FAX NO. • (303) 226-2123

February 1, 1993

The Honorable Irvin S. Duggan
Commissioner
Federal Communications Commission
1919 M Street, N.W.
Washington, DC 20554

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[FEB 17 1993]
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: MM Docket No. 92-265, Program Access

Dear Mr. Duggan:

I am the General Manager of Poudre Valley Rural Electric Assn., Inc., a consumer-owned, not-for-profit rural utility that provides electrical service to 22,000 consumers in rural Colorado. Like most parts of rural America, we have many consumers for whom cable service is unavailable. As you know, home satellite dish owners have been paying discriminatorily high rates for much of the programming they receive over their satellite dish. The cost for this programming to home satellite dish distributors is on average five times more than what cable operators pay for it--a difference in price that is completely unjustifiable.

Poudre Valley REA, along with hundreds of rural cooperatives like it around the country, worked long and hard to secure the inclusion of the cable bill's Section 19 programming access provisions in order to protect our consumers from cable industry's price-gouging. When the bill passed, we were understandably pleased and hopeful that the discrimination would stop.

My concern today stems from the Notice of Proposed Rule Making that was released on December 24, specifically as it pertains to the Section 19 programming access provisions of the recently passed cable bill.

We are alarmed by the tone of your NPRM on the subject. By writing this letter, I hope to impress upon you the reality of this price discrimination. For our consumers, it really is a dollars-and-cents issue. And it is completely unnecessary and unjustified. It costs cable-owned programmers and satellite carriers no more to serve the rural home dish market than the urban cable market. In your NPRM, you indicated that harm against the dish market would have to be established before the FCC could issue regulations to correct it. I assure you that this harm not only exists, but that it is also an ongoing problem which robs hundreds of dollars per year from each of my satellite TV-watching neighbors and consumers.

I urge you to once again review the duty the U.S. Congress charged you with: namely, to issue regulations which will encourage competition in the video marketplace and bring an end to the unjustifiable discrimination against the noncable video marketplace by cable-owned programmers. On behalf of the thousands of home satellite dish owners living in rural Colorado, I hope your final rule fulfills this obligation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ronald J. Carey".
Ronald J. Carey
General Manager

cc: Office of the Secretary, FCC



**Illinois Valley Electric
Cooperative, Inc.**

T.L. Christensen, General Manager
P.O. Box 70 • West on Highway 6 & 34
Princeton, Illinois 61356
Telephone: (815) 875-4488

EX PARTE OR LATE FILED

RECEIVED

FEB 17 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

February 1, 1993

The Honorable Irvin S. Duggan, Commissioner
Federal Communications Commission
1919 M St., N.W.
Washington, D.C. 20554

Re: MM Docket No. 92-265, Program Access

Dear Mr. Duggan:

I am writing to express my concern about the Notice of Proposed Rule Making that was released on December 24, specifically as it pertains to the Section 19 programming access provisions of the recently-passed cable bill.

I am the General Manager of Illinois Valley Electric Cooperative, Inc., a consumer-owned, not-for-profit rural utility that provides ELECTRIC service to consumers in the north-central area of Illinois. In our part of Illinois, there are many consumers for whom cable service is unavailable due to their remoteness. The only way these consumers can receive television is by using a home satellite dish. Until now, these home satellite dish owners have been paying discriminatorily high rates for much of the programming they receive over their dish. The cost for this programming to home satellite dish distributors is on average five times more than what cable operators pay for it - a difference in price that is completely unjustifiable.

My utility, along with hundreds of utilities like it around the country, worked long and hard to secure the inclusion of the cable bill's Section 19 programming access provisions in order to protect our consumers from the cable industry's price-gouging. When the bill passed, we were understandably pleased and hopeful that the discrimination would stop.

This is why we are concerned by the tone of your NPRM on the subject. By writing this letter, I hope to impress upon you the reality of this price discrimination. For our consumers, it really is a dollars-and-cents issue. And it is completely unnecessary; it costs cable-owned programmers and satellite carriers no more to serve the rural home dish market than the urban cable market. In your NPRM, you indicated that harm

DIRECTORS
Earl Bates, President
Vincent Fredrickson
Joe Danielson

John Kneuppel
Marion Rieker
Ralph Freebairn
Robert Sondgeroth

Dorothy Wilson
John Scott
Gary Barnhart, Attorney

Illinois Valley Electric

-2-

February 1, 1993

against the dish market would have to be established before the FCC could issue regulations to correct it. I assure you that this harm not only exists, but that it is also an ongoing problem which robs hundreds of dollars per year from each satellite TV watching neighbors and consumers.

I urge you to once again review the duty the U.S. Congress charged you with: namely, to issue regulations which will encourage competition in the video marketplace and bring an end to the unjustifiable discrimination against the non-cable video marketplace by cable-owned programmers. On behalf of the thousands of home satellite dish owners living in rural Illinois, I hope your final rule fulfills this obligation.

Sincerely,

ILLINOIS VALLEY ELECTRIC COOPERATIVE

A handwritten signature in dark ink, appearing to read "T. L. Christensen", written in a cursive style.

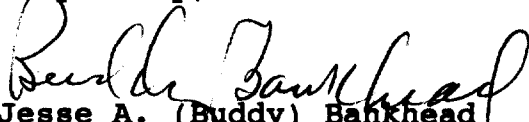
T. L. Christensen
General Manager

TLC:jjb

Page 2

I urge you to once again review the duty the U.S. Congress charged you with: namely, to issue regulations which will encourage competition in the video marketplace and bring an end to the unjustifiable discrimination against the non-cable video marketplace by cable-owned programmers. On behalf of the thousands of home satellite dish owners living in rural Texas, I hope your final rule fulfills this obligations.

Very truly,


Jesse A. (Buddy) Bankhead
Manager of Member Services

cc: Office of the Secretary, FCC

JAB:ls



Service-Our Only Product

JAMES VALLEY ELECTRIC
COOPERATIVE, INC.
Rural Route 2, Box 22
Edgeley, North Dakota 58433

Telephone 493-2281

February 2, 1993

EX PARTE OR LATE FILED

The Honorable Irvin S. Duggan
Federal Communications Commission
1919 M Street N.W.
Washington, DC 20554

RECEIVED

FEB 17 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Mr. Duggan:

I am writing you to express my concern about the Notice of Proposed Rules Making that was released on December 24, specifically as it pertains to the Section 19 programming access provisions of the recently passed cable bill.

I am the General Manager of James Valley Electric Cooperative, a consumer-owned, not for profit rural utility that provides electric service to 2500 consumers in southeastern North Dakota. In our part of North Dakota, there are many consumers for whom cable service is unavailable due to their remoteness. The only way these consumers can receive television is by using a home satellite dish. Until now, these home satellite dish owners have been paying discriminately high rates for much of the programming they receive over their dish. The cost for this programming to home satellite dish distributors is on average five times more than what cable operators pay for it - a difference in price that is completely unjustifiable.

My utility, along with hundreds of utilities like it around the country, worked long and hard to secure the inclusion of the cable bill's Section 19 programming access provisions in order to protect our consumers from the cable industry's price-gouging. When the bill passed, we were understandably pleased and hopeful that the discrimination would stop.

This is why we are concerned by the tone of your NPRM on the subject. By writing this letter, I hope to impress upon you the reality of this price discrimination. For our consumers, it really is a dollars and cents issue. And it is completely unnecessary; it costs cable owned programmers and satellite carriers no more to serve the rural home dish market than the urban cable market. In your NPRM, you indicated that harm against the dish market would have to be established before the FCC could issue regulations to correct it. I assure you that this harm not only exists, but that it is also an ongoing problem which robs hundreds of dollars per year from each of my satellite TV watching neighbors and consumers.

I urge you to once again review the duty the U.S. Congress charged you with: namely to issue regulations which will encourage competition in the video marketplace and bring an end to the unjustifiable discrimination against the non-cable video marketplace by cable-owned programmers. On behalf of the thousands of home satellite dish owners living in rural North Dakota, I hope your final rule fulfills this obligation.

EX PARTE OR LATE FILED

The Honorable Irvin S. Duggan
Federal Communications Commission
1919 M St., N.W.
Washington, DC 20554

RECEIVED
FEB 17 1993
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: MM docket No. 92-265, Program Access

Dear Mr. Duggan,

I am writing you to express my concern about the Notice of Proposed Rule Making that was released on December 24, specifically as it pertains to the Section 19 programming access provisions of the recently-passed cable bill.

I am the Communications Manager of Pee Dee Electric Cooperative, Inc., a consumer owned, not-for-profit rural utility that provides electric and satellite programming services in 6 counties. In our part of South Carolina, there are many consumers for whom cable service is unavailable due to their remoteness. The only television reception available is by the use of a home satellite dish. These home satellite dish owners have been paying discriminatory high rates for much of the programming they receive over their dish. The cost for this programming to home satellite dish distributors is on average five times more than what cable operators pay for it—a difference in price that is completely unjustified.

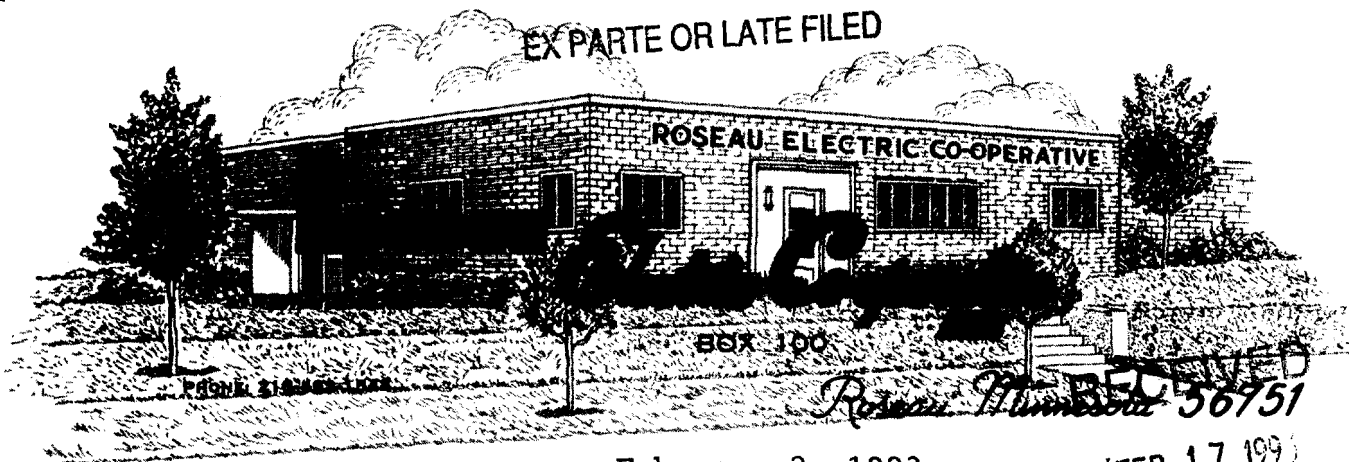
My utility, along with hundreds of utilities around the country, worked long and hard to assure the inclusion of section 19 programming access provisions in the cable bill to protect our consumers from the cable industry's price-gouging. When the bill passed, we were hopeful that the discrimination would stop.

This is why I am concerned at the tone of your NPRM. By writing this letter, I hope to impress upon you the reality of this price discrimination. For our consumers, this is a real dollars-and-cents issue. It is completely unnecessary: it costs cable-owned programmers and satellite carriers no more to serve the home dish market in rural America than the urban cable market. In your NPRM, you indicated that harm against the home dish market would have to be established before the FCC could issue regulations to correct it. I assure you that this harm not only exists, but that it is also an ongoing problem robbing hundreds of dollars per year from each of my satellite TV watching neighbors and consumers.

I ask that you once again review the duty the U.S. Congress charged you with: namely, to issue regulations which will encourage competition in the video marketplace and bring an end to the unjustifiable discrimination against the non-cable video marketplace by cable-owned programmers. On behalf of the thousands of home satellite dish owners living in rural South Carolina, I hope your final rule fulfills this obligation.

Sincerely,

Kim A. Robb



February 2, 1993

RECEIVED
FEB 17 1993
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

The Honorable Irvin S. Duggan
Federal Communications Commission
1919 MST NW
Washington DC 20554

RE: MM Docket No. 92-265
Program Access

Dear Mr. Duggan:

The Roseau Electric Cooperative is a rural electric utility which provides service to over 5200 members in northwestern Minnesota. We are a consumer-owned not-for profit entity. In 1987 we started offering satellite programming to our members as cable service was unavailable to our members due to their remoteness. Our home satellite dish owners have been paying discriminatory high rates for much of the programming they receive over their dish. The cost for this programming to home satellite dish distributors is an average five times more than what cable operators pay for it - a difference in price that is complete unjustifiable.

Roseau Electric Cooperative was pleased with the passage of the recent cable bill. With the inclusion of the cable bill Section 19 programming access provisions, we felt our members would be protected from the cable industry's price-gouging.

We are concerned about the Notice of Proposed Rule Making that was released on December 24, and especially as it pertains to Section 19 the programming access provisions. Providing service to the rural home dish market, costs cable-owned programmers and satellite carriers no more than it costs to serve the urban cable market. It is an ongoing problem costing our members hundreds of dollars each year.

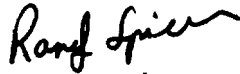
Page 2

MM Docket No 92-265 Program Access

In your NPRM, you indicated that harm against the dish market would have to be established before the FCC could issue regulations to correct it. We want you to know price discrimination is a reality and is happening to our members.

I urge you to once again review the duty the US Congress charged you with: Namely, to issue regulations which will encourage competition in the video marketplace and bring an end to the unjustifiable discrimination against the non-cable video marketplace by cable owned programmers. On behalf of the home satellite owners served by Roseau Electric Cooperative and in rural Minnesota, I hope your final rule fulfills this obligation.

Sincerely,



R. E. Spicer
Assistant Manager

RES/dl

cc: Office of the Secretary, FCC



Association of Illinois Electric Cooperatives

6460 SOUTH SIXTH FRONTAGE ROAD, SPRINGFIELD, ILLINOIS

EX PARTE OR LATE FILED

MAIL REPLY TO: P. O. BOX 3787 SPRINGFIELD, ILLINOIS 62708
TELEPHONE: (217) 529-5561

February 2, 1993

RECEIVED

[FEB 17 1993]

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable Irvin S. Duggan, Commissioner
Federal Communications Commission
1919 M Street, N. W.
Washington, DC 20554

Re: MMDocket No. 982-265, Program Access

Dear Commissioner Duggan:

We are writing to express concern about the Federal Communications Commission's Notice of Proposed Rule-Making (NPRM) released on December 24, 1992, regarding the recently-passed cable bill. Specifically, we are concerned about the NPRM as it relates to the bill's Section 19 programming access provisions.

I serve as Executive Vice President and General Manager of the Association of Illinois Electric Cooperatives (AIEC), the statewide service organization representing the 28 electric cooperatives operating in Illinois. These consumer-owned, not-for-profit cooperatives provide electric service to members living in 86 of the 102 counties of Illinois. In addition, all six Illinois telephone cooperatives which operate throughout much of the electric cooperative service areas are associate members of the AIEC. In the rural Illinois areas our cooperatives serve, there are many consumers who use home satellite dishes since cable service is unavailable. Until now, cable programmers have either refused to provide program access to home satellite distributors or they have discriminated against them--charging them an average of 500% more than they charge cable operators. This cost, of course, is borne by the rural home satellite consumer. The cable bill contained strong language to put an end to this unfair situation by ensuring access to programming at nondiscriminatory prices. When the bill passed, we were understandably pleased.

We were less than happy, however, to learn of your December 24 NPRM, in which you indicated that harm against the home satellite dish would have to be established before the FCC could issue regulations to correct it. I can assure you that the harm exists and is an ongoing problem which hurts rural satellite-TV consumers. We urge you to comply with the charge by Congress to the FCC by issuing regulations which will encourage competition in

